

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

Bail Appl.No. 4719 of 2007()

C.R.NO.84/07 OF KAYAMKULAM EXCISE RANGE
CMP.7051/2007 of J.M.F.C., KAYAMKULAM
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PETITIONER/ACCUSED:

SURABALAN, S/O. RAGHAVAN,
MANGALATHUTHARAYIL VEEDU, PULLIKKANAKKU MURI,
KAYAMKULAM VILLAGE, KARTHIKAPPALLY TALUK.

BY ADV. SRI.N.NAGARESH
SRI.BINU PAUL

RESPONDENTS: COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. EXCISE INSPECTOR, KAYAMKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06/08/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

B.A.No. 4719 of 2007

Dated this the 6th day of August, 2007

ORDER

Application for regular bail. The petitioner was allegedly found to be in possession of 5 litres of arrack on 15.7.2007. The petitioner later surrendered before the learned Magistrate on 21.7.2007 and he continues in custody from that date. The learned Prosecutor submits that there are two earlier crimes to the credit of the petitioner, both under the Kerala Abkari Act.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not seriously oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

- 1) This application is allowed.
- 2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 13.8.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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